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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA,

Plaintiff,

- v -

The painting known as "Hannibal"
by the artist Jean-Michel Basquiat,
from 1982, an acrylic, oil stick
and paper collage on canvas,
mounted on tied wood,
approximately 60 x 60 inches with
an appraised value of
approximately eight million
dollars;

The painting known as "Modern
Painting with Yellow Interweave"
by the artist Roy Lichtenstein, an
abstract painting with geometric
shapes, including two "half-rings,"
filled with yellow, with black
outlines, and with a black
vertical strip dividing the
painting in two "halves," signed
on the back, with a value of at
least approximately one million,
five hundred thousand dollars;

The painting known as "Figures
dans une structure" [Figures in
a structure], by the artist
Joaquin Torres-Garcia, signed in
the upper left corner, dated in
the upper right hand corner, and
purchased in 2004 for
approximately two hundred thirty

ARREST WARRANT IN REM

08 Civ. 1511 (RJS)

thousand dollars; :

The painting known as "Composition :
abstraite" [Abstract composition]
by the artist Serge Poliakoff, :
painted in 1969, an oil painting
on burlap, with abstract geometric :
shapes in red, blue, yellow and
brown, approximately 162 x 135 :
centimeters, sold at auction in
2004 for more than three hundred :
seventy-eight thousand dollars,

Defendants-in-rem.

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**WARRANT FOR ARREST OF "COMPOSITION ABSTRAITE,"
BY SERGE POLIAKOFF AND ORDER FOR NOTICE**

WHEREAS, on May 23, 2008, the United States filed an amended verified complaint for forfeiture (the "Amended Verified Complaint") against four paintings, including the painting known as "Composition abstraite" [Abstract composition] by the artist Serge Poliakoff, painted in 1969, an oil painting on burlap, with abstract geometric shapes in red, blue, yellow and brown, approximately 162 x 135 centimeters, sold at auction in 2004 for more than three hundred seventy-eight thousand dollars (the "Defendant-in-rem Poliakoff");

WHEREAS, the Court has reviewed the Amended Verified Complaint, and hereby finds, in accordance with Rule G of the Supplemental Rules for Certain Admiralty and Maritime Claims, that (i) probable cause exists that the Defendant-in-rem Poliakoff is subject to seizure and forfeiture pursuant to 19 U.S.C. § 1595a(c), because it was introduced or attempted to be introduced into the

*as well as the sworn affidavit of
SA Setu Taylor, dated June 3, 2008,*

United States in violation of 18 U.S.C. §§ 542 and 545; and that (ii) probable cause exists that the Defendant-in-rem Poliakoff is subject to seizure and forfeiture pursuant to 18 U.S.C. § 545, because it is merchandise that knowingly and willfully, with intent to defraud the United States, was smuggled, or clandestinely introduced into the United States by means of false and fraudulent documentation and was introduced by one or more persons, who fraudulently or knowingly imported or brought the Defendant-in-rem Poliakoff into the United States contrary to law, or received, concealed, bought, sold, or in any manner facilitated the transportation, concealment, or sale of the Defendant-in-rem Poliakoff after importation, knowing the same to have been imported or brought into the United States contrary to law; and that (iii) the Defendant-in-rem Poliakoff is subject to seizure and forfeiture pursuant to 18 U.S.C. § 981(a)(1)(C), as property which constitutes or is derived from proceeds traceable to an offense constituting "specified unlawful activity" (as defined in Section 1956(c)(7) of . . . [t]itle [18]), or a conspiracy to commit such offense;

IT IS, THEREFORE, ORDERED that:

1. Pursuant to Rule G(3)(B)(ii) of the Supplemental Rules for Certain Admiralty and Maritime Claims, the Clerk of this Court is hereby directed to forthwith issue a Warrant for the Arrest of the Defendant-in-rem Poliakoff, directing the United States Marshal or any other federal law enforcement officer to


arrest the Defendant-in-rem Poliakoff, to make return thereon and to take the Defendant-in-rem Poliakoff into custody pending further order of this Court;

2. It is further ordered that, pursuant to Rule G(3)(C)(iv) of the Supplemental Rules for Certain Admiralty and Maritime Claims, the Attorney General of the United States or his duly authorized representative is hereby directed to request that the proper authorities of the Government of France, Switzerland, or any other country where the Defendant-in-rem Poliakoff is located, assist with the restraint or seizure of the Defendant-in-rem Poliakoff, including but not limited to: (a) arrest the Defendant-in-rem Poliakoff on behalf of the United States by serving this Arrest Warrant in Rem on the Defendant-in-rem Poliakoff or its custodian, (b) make return thereon, and (c) restrain or take the Defendant-in-rem Poliakoff into custody pending further order of this Court;

3. Subsequent to the execution of the process as aforesaid, pursuant to Rule G(4) of the Supplemental Rules for Certain Admiralty and Maritime Claims, the United States shall issue public notice of this action and of the arrest of Defendant-in-rem Poliakoff, which notice shall be published **one time per week for three consecutive weeks** in the New York Law Journal, a newspaper of general circulation in this District where the action is filed, and **one time per week for three consecutive weeks** in the

International Herald Tribune, or such other local or international newspaper of general circulation. Such notice shall specify the time within which a claim and answer must be filed as required by Rule G(5) of the Supplemental Rules for Certain Admiralty and Maritime Claims.

Dated: June 4, 2008
New York, New York


HONORABLE RICHARD J. SULLIVAN
United States District Judge
Southern District of New York